

**IN THE IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

1.	CANDICE SMITH,)	
)	
	Plaintiff,)	CIV-22-1002-JD
)	
v.)	JURY TRIAL DEMANDED
)	ATTORNEY LIEN CLAIMED
1.	CITY OF NORMAN.,)	
)	
	Defendant.)	

COMPLAINT

COMES NOW THE PLAINTIFF, Candice Smith, and pleads her claims as follows:

PARTIES

1. The Plaintiff is Candice Smith, an adult resident of Oklahoma County, Oklahoma.
2. The Defendant is the City of Norman.

CLAIMS & VENUE

3. The Plaintiff asserts claims for gender (including pregnancy and gender plus children) discrimination in violation of Title VII of the Civil Rights Act and Oklahoma's Anti-Discrimination Act.
4. Jurisdiction over Plaintiff's federal claims is found in 28 U.S.C. § 1331. This Court has jurisdiction over the state claim under 28 U.S.C. §1367. The conduct giving rise to this action occurred in Cleveland County, Oklahoma, which is a county within the United States District Court for the Western District of Oklahoma.

STATEMENT OF FACTS

5. The Defendant employed at least fifteen employees for a least twenty or more weeks of the current or proceeding calendar year and, thus, is an employer as defined under Title VII. There is no minimum employee requirement under the OADA.
6. Plaintiff was employed by Defendant from around March 4, 2021 until around July 19, 2021.
7. Plaintiff's job title was Lab Technician.
8. The Plaintiff was qualified for her job position and performed satisfactorily.
9. Around June 28, 2021 Plaintiff notified her supervisor, Scott Aynes (Plant Supervisor) that she was pregnant.
10. A few days later Plaintiff was confronted by the Plant Manager, Geri Wellborn, about being pregnant.
11. Ms. Wellborn seemed irritated that Plaintiff was pregnant, stating sarcastically, "I heard about your big announcement" complaining that she (Wellborn) "had to hear it from someone else".
12. Plaintiff was the mother of four other children at the time she became pregnant.
13. Ms. Wellborn seemed to disapprove of Plaintiff's large family, telling Plaintiff that she (Wellborn) only wanted one child.
14. Defendant involuntarily terminated Plaintiff's employment around July 19, 2021.
15. As a direct result of the Defendant's conduct the Plaintiff has suffered, and continues to suffer, wage loss (including back, present and front pay along with the

value of benefits associated with such wages) and emotional distress/dignitary harm damages such as worry, frustration, anxiety and similar unpleasant emotions.

16. At the least, significant factors in the decision to terminate the Plaintiff include her gender (including her pregnancy and wanting a larger family/multiple children).
17. Plaintiff has exhausted her administrative remedies by timely filing an EEOC charge of discrimination on January 4, 2022. The EEOC issued Plaintiff her right to sue letter on August 30, 2022 and Plaintiff received such letter thereafter. This complaint is timely filed within ninety (90) days of Plaintiff's receipt of her right to sue letter.

COUNT I

Plaintiff incorporate the above paragraphs and further alleges:

18. Discrimination on the basis of gender (including pregnancy discrimination and/or gender plus children/large family) violates Title VII of the Civil Rights Act of 1964.
19. Under this Count the Plaintiff is entitled to her wage loss (including back, present and front pay along with the value of benefits associated with such pay) and emotional distress/dignitary harm damages.
20. Plaintiff is also entitled to declaratory and/or injunctive relief, reinstatement and attorney fees/costs.

COUNT II

Plaintiff incorporate the above paragraphs and further alleges:

21. Discrimination on the basis of gender (including pregnancy discrimination and/or gender plus children/large family) violates Oklahoma's Anti-Discrimination Act.
22. Under this Count the Plaintiff is entitled to her back wages and benefits along with an equal amount of liquidated damages.
23. Plaintiff is also entitled to declaratory and/or injunctive relief, reinstatement and attorney fees/costs.

PRAYER

WHEREFORE, the Plaintiff requests this Court enter judgment in her favor and against the Defendant and grant her all compensatory damages suffered, together with all damages, attorneys' fees, costs and interest and such other legal and equitable relief as this Court deems just and proper.

RESPECTFULLY SUBMITTED THIS 22ND DAY OF NOVEMBER 2022:

HAMMONS, HURST & ASSOCIATES

s/ Amber L. Hurst

Mark E. Hammons, OBA No. 3784

Amber L. Hurst OBA No. 21231.

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